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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921				
EXAMINER				
DUONG, DUC T				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/773,788

Applicant(s)

ROY, RADHIKA R.

Examiner

Duc T. Duong

Art Unit

2619

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-13,15-20 and 22-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-13,15-20 and 22-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-3, 5-13, 15-20, and 22-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Galasso et al (US Patent 6,374,302 B1).

Regarding to claims 1, 12, and 20, Galasso discloses a gatekeeper 550-570 for use in a communication system (fig. 3), said gatekeeper comprising a processor (col. 5 lines 37-40); and a memory (inherent) coupled to said processor, said memory storing instructions adapted to be executed by said processor for performing the steps of receiving at said gatekeeper a request for information 610 (fig. 4 col. 7 lines 58-60); determining whether the information is known by said gatekeeper 620 (fig. 4 col. 7 lines 62-63); if the information is not known by said gatekeeper, sending the request via a

second gatekeeper 570 to a third gatekeeper 560 (fig. 3-4 col. 7 lines 44-55), all of three said gatekeepers being at a single gatekeeper hierarchical level (fig. 3 col. 7 lines 31-33; noted all three gatekeepers 550, 560, and 570 are arranged at a single hierarchical level as master gatekeeper); and receiving the requested information from the third gatekeeper 560 (fig. 3-4 col. 7 lines 50-55).

Regarding to claims 2 and 13, Galasso discloses the third gatekeeper sends the information to the first gatekeeper via the second gatekeeper (fig. 3 col. 7 lines 44-55).

Regarding to claims 3, 7, and 9, Galasso discloses each of said first, second, and third gatekeepers communicate with respective subscriber terminals (fig. 2 col. 4 lines 53-57).

Regarding to claims 5, 15, and 22, Galasso discloses the requested information is an address (col. 4 lines 55-57).

Regarding to claims 6, 8, 16, 17, and 23, Galasso discloses the address is a network address or resource (col. 4 lines 57-60).

Regarding to claims 10, 18, and 24, Galasso discloses the resource is a port, a link, or a trunk (col. 5 Table 1).

Regarding to claims 11, 19, and 25, each of the gatekeepers is adapted to use signaling messages conforming to International Telecommunications Union standard H.323 to receive and transmit information between at least itself and its respective subscriber terminals (col. 5 lines 11-15).

Regarding to claim 26, the communicating entities are terminals, gateways, multipoint control units or communication networks (fig. 1-3 col. 4 lines 41-49).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galasso in view of Maheny et al (US Patent 5,790,536).

Regarding to claims 27-29, Galasso discloses all the limitations with respect to claims 3, 12, and 20, except for the first gatekeeper is adapted to cache the information received by the first gatekeeper so that if said first gatekeeper is again requested for said information, said first gatekeeper will be able to provide said information to the source of the request.

However, Mahany discloses a hierarchical communication system, wherein at least one of said plurality access devices is configured to selectively store (cache) for future forwarding requested data (col. 4 lines 43-50).

Thus, it would have been obvious to a person of ordinary skill in the art to employ the storing of information for future reference as taught by Mahany into Galasso's system so that the communication pathway from the source of the request to the gatekeeper will be shorten.

Response to Arguments

5. The examiner would like to make a noted that the current set of claims is identical to the claims as originally filed. Thus, the current claims are rejected using

previous cited prior art, and as a result this office action is made final with no newly cited prior art. Regarding applicant's argument on page 8 with respect to the obviousness rejection is based on hindsight. In response, the examiner do agreed with applicant's assertion. However, in re-examining Galasso the examiner determined Galasso still applied to the claim rejection and the reason is as follow. The limitation to which applicant argued Galasso fails to teach is that "all three gatekeepers being at a single hierarchical level". In response, the examiner would like to direct applicant's attention to fig. 3 col. 7 lines 31-33. Herein, Galasso discloses all three gatekeepers are master gatekeeper. To that extent, the examiner interprets arranging such gatekeeper as master gatekeepers is equivalent to the claim limitation that the gatekeepers are being at a single hierarchical level. Thus, based on the reasons set forth here the rejections are maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is (571)272-3122. The examiner can normally be reached on M-F (8:00 AM-5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. T. D./
Examiner, Art Unit 2619

/Wing F Chan/
Supervisory Patent Examiner, Art
Unit 2619
3/17/08

